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## I Quote

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H. B. 99 requires county judges in certain counties to be attorneys at law.

S. B. 8 creates the 15th judicial district consisting of Baca, Bent, Kiowa and Prowers counties.

S. B. 90 purports to authorize notaries public to take oaths and depositions any place within the state.

H. B. 536 (S. B. 75) provides for jury service exemptions for women.

S. B. 25, S. B. 428, H. B. 679 and H. B. 792 all deal with the assignment of accounts receivable.

S. B. 303 provides for the sterilization of certain insane or feeble-minded persons.

S. B. 228 regulates the practice of law before the industrial commission.

S. B. 211 puts the appointment of notaries public in the secretary of state rather than the governor.

H. B. 178 allows an insurer to be joined as a party to an act.

Among the other subjects which will apparently receive extensive treatment by the 35th General Assembly are those relating to motor vehicles and the use of the highways, the state courtesy patrol, liquor, banks and banking, education, workmen's compensation and unemployment compensation, game and fish, care and treatment of the insane, penal and reform institutions and public health.

## I Quote

BY HENRY H. CLARK\*

### CHAPTER II

"Why may not that be the skull of a lawyer?

Where be his quiddities now, his quillets, his cases, his tenures  
and his tricks?" —Shakespeare.

"No laws, however stringent, can make the idle industrious, the  
thrifless prudent, or the drunken sober." —Smiles.

"If the judgment is defective or void, that is the very fact which he  
wishes to establish *in a court of errors*† in order to prevent his adversary  
from selling his property under it."

—Judge Hallett, 1 Colo. 163.

"The deposition of *a dead witness* may be used in a new trial, but  
it is not as effective as his presence." (As quoted Mills Ann. Code, p.  
614.) —Judge Macon, 11 Colo. 246.

\*Of the Denver Bar.

†All italics supplied.

"There is no implied warranty that the building leased is safe, suitable for habitation, or properly adapted to the uses to which it is applied, nor that it shall continue fit for the purposes for which it is demised."

—Judge Gerry, 11 Colo. 585.

"Where a party discovers at the trial that his attorney is intoxicated he should promptly call the judge's attention to such fact." (Syll.) \* \* \* "When proper to postpone a case *to allow a client to substitute an intoxicated attorney.*" (Mills Ann. Code, p. 408.)

—Judge Hayt, 15 Colo. 418.

"A person who can remain a partner for that length of time (6 years) after death should make an equally good defendant especially where his co-partners, through their attorney, *enter his appearance as living.*"

—Judge Reed, 6 C. A. 20.

"Plaintiff was induced to purchase a small tract of land bordering on Cherry Creek by the false representation that the water in the creek never would rise, and never had risen, more than seven inches higher than it was then running." \* \* \* "If the defendant's statements had been true, the place where the plaintiff placed his property was safe enough (and it would not have been swept away in the flood which followed shortly after the purchase) and a charge, that the plaintiff himself was negligent because, in the superabundance of his confidence, he took the defendant at his word, falls stillborn."

—Judge Thomson, 11 C. A. 377.

"In a proceeding for contempt against the publisher of a newspaper for publishing articles charging a court or the judge thereof with being influenced by corrupt motives in their actions with reference to a pending cause, *the truth of the publication is no defense.* (Sic!) Neither is it a defense to show that there was no intent to commit a contempt. Nor to show that the court was not affected by the contemptuous language." (Syll.) Decision covers 208 pages.

—Judge Gunther, 35 Colo. 253.

"The following predesignate postulates, found in the authorities and statutes cited thereafter, will assist a logical demonstration and solution of the proposition involved."

—Judge Morgan, 25 C. A. 451.

"Courts are opposed to the practice of having one appear to tell them he is not there." (In re special appearances.)

—Judge Morgan, 26 C. A. 225.

"Negligence occasioning fright of plaintiff's horse.—The complaint should allege that the horse was an ordinarily gentle animal." (Syll.) —and not a mule.

—Judge Cunningham, 26 C. A. 291.

"A stipulation of counsel as to what the law is would not be binding upon this court."  
—Judge Hill, 56 Colo. 70.

"Counsel are officers of the court and are charged with the duty of guarding it against errors at the trial." (A great responsibility!)  
—Judge White, 69 Colo. 15.

"The rear seat driver is responsible for enough accidents as the score stands, without the aid of judicial precedent."  
—Judge Burke, 69 Colo. 289.

"The rule is well settled that a person has no right to leave his horse on a public highway, unless it is securely fastened, or is in charge of someone competent to take care of it." (Otherwise it's a very good place to "leave" the horse?)  
—Judge Burke, 77 Colo. 586.

"The mere fact that a man's ways are right in his own eyes does not in itself afford legal sanction for whatever he may choose to do. \* \* \* The tort proven consisted of a mis-appropriation by the broker to his own use of the customers' money."  
—Judge Adams, 80 Colo. 45

"Compensation (under the Workmen's Compensation Act) can be awarded for personal injuries only, which means injury to the person. A wooden leg is a man's *property*, not a part of his person, and no compensation can be awarded for its injury," (even although it is necessary for his "support").  
—Judge Denison, 80 Colo. 162.

"Courts do not knowingly admit fraudulent wills to probate."  
(How very reassuring!)  
—Judge Adams, 82 Colo. 465.

"We cannot permit the courts to be converted into legal aid bureaus." (And danger?)  
—Judge Burke, 83 Colo. 587.

"If any meaning can be construed into this scrambled verbiage it must constitute a license to race for the intersection with the right of way awarded as the prize, not to him who first reaches it, but to him who, at some mythical moment between the start of the flight and its disastrous culmination, shall be nearer the center of the intersection than his competitor."  
—Judge Burke, 87 Colo. 415.

"My notion of the importance of correct procedure in the common-law conception of justice is such that I cannot subscribe to the obvious wrong so compassed. I decline to have a part in the rape of the law."  
—Judge Hilliard, 99 Colo. 12.

**IN MEMORY OF COLORADO LAWYERS WHO  
HAVE GIVEN THEIR LIVES IN THE SERVICE  
OF THEIR COUNTRY**



**CHARLES W. DELANEY, JR.  
DONALD J. GILLIAM  
JAMES G. LANG  
ALVIN L. ROSENBAUM**

## **Scratch Another Zero**

*—And Look  
Out Below!*

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Until that day comes, Western Electric's major job will be making huge quantities of radio and detection devices—and the backed up requirements of the Bell Telephone System for telephones, wires, cable, switchboards, etc., will have to wait.

**The Mountain States Telephone & Telegraph Co.**